

Application No. 10/813,974
Amendment Dated December 8, 2009
Reply to Office Action Dated June, 2009

Remarks

Claims 1-42 are pending.

Claims 1-42 stand rejected

Claim 21 has been amended.

Claims 1-42 are submitted herein for review.

No new matter has been added.

In paragraph 2 of the Office Action, the Examiner has rejected claim 21 under 35 U.S.C. § 112 regarding the claim preamble. Applicants have amended claim 21 accordingly and respectfully request that this rejection of claim 21 be withdrawn.

Turning to the prior art, the Examiner has removed the previous rejection but now rejects independent claims 1, 21 and 39 under 35 U.S.C. § 103(a) as being unpatentable over the previously cited Schaffer (U.S. Patent No. 6,385,312) in view of the newly cited Sonesh (U.S. Patent No. 6,046,762).

Applicants respectfully disagree with the Examiner and submit the following remarks in response.

The present invention as claimed in the independent claims is directed to a system and method for routing a call from a wireless communications device to a directory assistance call center including receiving *a call, having an associated communication device identifier, at a first assistance call center. The call is routed to this first assistance call center based on said communications device identifier which is designated to handle all calls having the communications device identifier, regardless of the location of the wireless communication device.*

Then, the geographic vicinity of the wireless communications device is determined at the first directory assistance call center. The call is then re-routed to a second directory assistance call center if that second directory assistance call center is closer to the geographic vicinity of the wireless communications device than the first directory assistance call center.

As noted in the prior Amendment, where in some advanced directory assistance features, such as concierge features, a local call center may be better suited to handle a call than the home call center of the caller that the call was initially routed to based on the caller's ANI.

In forming the rejection, on page 4 of the Office Action, the Examiner asserts that Shaffer teaches, "...routing the call to a second call center if that second call center is closer to the geographic vicinity of the wireless communication device (column 11, lines 8-11, i.e., caller location based routing for use with mobile phone "wireless") than the first call center (Fig. 27, 150a-150b), col. 39, lines 1-4 and col. 52, lines 2-6.)"

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Such an analysis is in error.

The Schaffer reference teaches a 1-800 routing system used when a user is desiring to purchase flowers locally using the nationally advertised toll free number (eg. 1-800-FLOWERS).

The Examiner is asserting the call in Schafer may be routed *to a second call center based on the location of the caller*. However, there is no second call center in Shafer only a first call center/switch and then destination numbers. The only call center is the first call center (the 1-800 call center), the routing thereafter is to a destination telephone.

For example, column 52, lines 2-6, cited to by the Examiner state:

"Process 1220 then performs a precise "within service area" test and builds a final list (shown at state 1460) *of service location IDs or telephone numbers sorted by distance* (from the location of the caller provided telephone number to the service location)." (emphasis added)

These service locations (businesses) or telephone numbers are the final destination of the call. They are not second call centers within the system.

The Examiner does note on page 4 of the Office Action, that the Shaffer reference does not teach that calls are routed to a first call center and then rerouted to a the second call center. To from this part of the rejection, the Examiner turns to the new reference Sonesh. Specifically, the Examiner cites to column 10, lines 5-32 and Figure 5.

However, Sonseh does not teach this element as it is claimed in the present independent claims. For example, the cited portion of Sonesh states:

"Calls arriving from telephone callers via PSTN 511 to call center 501, for example, are converted to compressed digital representation and

then handled locally or transmitted *via data network 510 to another call center, for example call center 502, or to remote agent 503*. Audio signals generated by remote agent 503 or remote call center 502 are sent via data network 510 to the originating call center 501 and are converted to a PSTN-compatible signal back to the caller. The above-mentioned method is used in the case a PSTN transfer is not economical. In the event the two call centers are in the same calling area, call transfer is conducted via PSTN 511 and audio signals generated by remote agent 503 or remote call center 502 are transferred to the originating call center 501 via PSTN 511.

Multimedia calls arriving via data network 510 are routed to one of the call centers, for example call center 501, and are either handled by that center or forwarded to another call center, for example 502, or to a remote agent 503. Two types of transfer modes are possible. Method A, involves packets being readdressed and dispatched to their destination. Method B, if supported by the caller's software, involves the caller being directly reconnected to the new destination. Under method A, data packets arriving from the caller are re-addressed, but packets generated by any center or agent are sent directly to the caller. Under method B, all packets are transmitted and received directly by the parties." (emphasis added)

Although Sonesh does teach a distributed call center with two or more call centers as per Figure 5, the above cited portion does not teach that the first directory assistance call center is designated to handle *all calls having said communications device identifier* regardless of the location of said wireless communication device.

Rather it appears that a certain *type of calls* (multimedia calls), are routed to one of the call centers for possible re-routing. However, there is no suggestion that all calls from one *communications device identifier* are always routed to the first call center. Moreover, the language itself does not even suggest that *all* calls are even routed to one call center over another. Rather, Sonesh appears to suggest that *some* calls may be routed to a first call center. For example, the actual language of Sonesh reads, "...are routed to one of the

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call centers, for example call center 501.” Obviously, this leaves the option open that the calls could just as easily be routed to the other call center (502).

Thus, even if the references were combined as suggested by the Examiner, the resulting system and method would still not teach or suggest all of the elements of the independent claims. For example, there is no teaching or suggestion in either Shaffer or Sonesh, that discloses receiving a call at a first directory assistance call center based on the communications device identifier, where the first directory assistance call center is designated to handle all calls having that communications device identifier regardless of the location of the wireless communication device.

Likewise, there is no teaching or suggestion in either Shaffer or Sonesh that discloses determining the geographic vicinity of the wireless communications device at the first directory assistance call center, and re-routing the call to a second directory assistance call center if that second directory assistance call center is closer to the geographic vicinity of the wireless communications device than the first directory assistance call center.

As such, Applicants request that the rejections of independent claims 1, 21 and 39 be withdrawn. As dependent claims 2-20, 22-38 and 40-42 depend from independent claims 1, 21 and 39 Applicants request that the rejections be removed for at least the same reason.

In view of the foregoing, Applicants respectfully submit that pending claims 1-42 are in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that an interview would facilitate the prosecution of this Application

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they are invited to contact the undersigned at the number listed below.

Respectfully submitted,

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